A PILOT STUDY ON AWARENESS OF PREVENTION OF SEXUAL HARASSMENT AT WORK PLACE AMONG WORKING WOMEN EMPLOYEES IN MUMBAI AREA IN 2012.

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ABSTRACT

Sexual Harassment at Workplace is one of the evil all over the world both in corporate and in other organisations. The issue is opted with the view of prevention is better than cure. Awareness leads to avoidance of the event is rightly proved from this paper. In the initial part the legal meaning and related laws are discussed. Then various related past studies are cited. The paper proceeds with the objectives, hypothesis, sampling and data collection method, and conclusion etc. The tables and diagrams are presented wherever necessary. The paper is based on both secondary data collected from the National Crime Record Bureau and primary data collected from the working women as samples. The paper is concluded in simple words that there is unawareness about the issue SHW among the working women especially where the organizational environment is lazier fair.

ACKNOWLEDGEMENT

First thank to Lord Shiva. Second thank to all those who have made significant contribution in the scientific knowledge anonymously. Third thanks to the God on the earth my parents. Fourthly thanks to my M.Phil research guide Dr. N. V. Shaha sir, Dr. S. S. Mahajan sir Head department of Commerce & Management, Shivaji University, Kolhapur, Finally I would like to thank to all my friends who spared their valuable time for responding to my questionnaire and suggesting me throughout the research.

DISCLOSURE

The care has been taken to follow the guidelines issued by the institution and American Psychological Association style wherever possible. Researcher being practicing may have committed mistakes. The road to improvement is never ending. Researcher will see to it that mistake directed and suggestions received shall be incorporated in present and upcoming paper for further improvement. The material for the ‘A PILOT STUDY ON AWARENESS OF PREVENTION OF SEXUAL HARASSMENT AT WORK PLACE AMONG WORKING WOMEN EMPLOYEES IN MUMBAI AREA IN 2012.’ have been derived and garnered far and wide from multiplicity of sources and quoted inadvertently. I trust the authors concerned will
accept of my apologies and thanks. The usual caveat applies; all residual errors are of course mine.

DECLARATION

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NOTES TO THE PAPER

The study of this research was purposely on pilot basis because the issue was sensitive, very few research studies are available, and whatever available is more of non research material. The researcher was expecting more number of responses, but unfortunately researcher was able to receive the responses on this issue only from those who trusted the researcher and willing to share their views to the certain extent.

ABBREVIATIONS


KEY WORDS

Sexual Harassment, Women, Organisational system, Nature of organisation, Awareness,

TERMS

1) Bureaucratic: The organisation which functions according to rules and regulations strictly. The behavior and the relationships among employees are also bureaucratic.

2) Lazzier fair: The organisation which is very flexible, dynamic and team oriented. The rules and regulations are there but relationships and behavior among the employees is friendly.

3) Democratic: The organisation which has the features of lazzier fair and bureaucratic. The relationship among the employees is team and task oriented. The issues of rules and regulations come only if there are disputes and issues among employees.

4) Organisational System: Here the organizational system relates to the type of functioning of organisation like bureaucratic, lazzier fair, and democratic etc.
5) *Nature of organisation*: The types of the organisations like Call centers, other corporate and firms are consider as nature of organisation.

**ASSUMPTIONS**

1. The organisational systems affects the behavior among the employees of the organisation.
2. The nature of the organisation is the base of the organisational systems which will affect the employees in every way.

**INTRODUCTION**

In modern societies the nuclear families is common trend. The rise in inflation has compelled many lower class and middle class families to go an extra mile for additional income over their existing pay package. The income of one person in the family is insufficient to run even the basic necessities of life especially in cities. To overcome the financial hurdles the women in the families have started opting for the job to support their families. Due to the unethical behavior of some of the colleague and or boss or the ethical women have to face several problems like shifting of schools of their children where the fees are compromising, lack of funds for medical treatment of families, overcoming past debts etc. The ethical women have an only option to be aware and alert.

**RELATED ACTS AND BILLS**

1. **SHW Bill (2012)**
   The bill also brings domestic workers within its ambit. The bill makes it mandatory for all workplaces, including homes, universities, hospitals, government and non-government offices, factories, other formal and informal work places to constitute an internal committee for redress of complaints. (Times of India May 2012).

2. **SHW Bill (2012) Amendments**
   "Position of authority" to include social, political and economic dominance over a victim of rape - parameters wide enough to encompass most forms of exploitation. Bill retains an important caveat to making 18 the age of consent with an exception being made -- with reference to Section 375 of the Indian Penal Code -- that the enhanced age bar will not apply in the case of married couples. Sexual crimes due to abuse of authority, termed as "aggravated assault", have provisions that are both severe and widely defined. They not only include sexual crimes by police officials and heads of institutions caring for women and children, but also incest-rapes by close relatives such as fathers, brothers and uncles……In the sections dealing with acid attacks, even an attempt to disfigure can attract tough punishment. So also intent to assault a person can be adjudged to be a crime. (Times of India, 21/07/12)

3. **Indian Penal Code (Section 44)** states, “The word "injury" denotes any harm whatever illegally caused to any person, in body, mind, reputation or property.”
   (www.vakilno1.com/bareacts/indianpenalcode/S44.htm)
4. **Indian Penal Code (Section 96-106)** states, “The right of private defence is recognized in every civilized system of Law. It is based on the principle that every man or women is expected to be endowed with a certain amount of self-reliance, courage and capacity to defend himself and his property.” (Dr. Solomon Raja., 2007, Criminal Law and Procedure, Madurai Kamraj University cooperative printing press ltd., pp56.)

5. **Indian Penal Code Sec. 509** states, “Word, gesture or act intended to insult the modesty of a woman.-- Whoever, intending to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to one year, or with fine, or with both.” ([http://www.vakilno1.com/bareacts/indianpenalcode/s509.htm](http://www.vakilno1.com/bareacts/indianpenalcode/s509.htm))

6. **A Case**: The supreme court initiated a discussion on this subject in August 1997 (Vishakha vs the state of Rajasthan). For the first time behavior that can be considered sexual harassment has been explicitly legally defined “…Sexual harassment includes such unwelcome sexually determined behavior (whether directly or by implication) as:

   a) Physical contact.  
   b) a demand or request for sexual favours.  
   c) sexually coloured remarks.  
   d) showing pornography.  
   e) any other unwelcomed physical, verbal or non-verbal conduct of a sexual nature. In sexual harassment, it is the impact of behavior on the recipients rather than the intent of the perpetrator which is significant.” (Prof. Michael Jeyaraj, 2007, Principles of Criminology Law and Procedure, Madurai Kamraj University cooperative printing press ltd., pp76.)

**TYPES OF SEXUAL HARRASSMENT**

1. **“Basic Types”**

   The basic types of SH are verbal or written, physical, nonverbal, visual, non-sexual ways, severe or pervasive etc. (Cates and Machin. 2012)

2. **“Quid Pro Quo” Sexual Harassment**

   “Quid pro quo” harassment occurs when an employee is offered some job benefit such as promotion, pay raise, etc., in return for sexual favors or is subjected to some adverse action because of a refusal to submit to a request for sexual favors.

3. **“Hostile Work Environment” Sexual Harassment**

   “Hostile environment” harassment occurs when an employee is subjected to unwelcome or unwanted sexual conduct that is sufficiently pervasive or severe to alter the terms or conditions of the employee’s employment, such conduct unreasonably interferes with an employee’s work performance or creates an abusive, intimidating, offensive or hostile work environment. A manager, supervisor, co-worker, or even a non-employee such as a vendor, customer or third party can create a hostile environment.

**Employer’s Liability**

The employer is responsible for the harassing conduct of its managers and supervisors in “quid pro quo” and “hostile environment” situations. The employer can also be liable for
harassment of an employee by co-workers and even of non-employees, if the employer knew or should have known about the harassment and failed to take immediate and appropriate action. The employer must treat all complaints seriously, investigate them thoroughly, and document its efforts completely. ([http://www.strategichr.com/shrsweb2/harassment_01.shtml](http://www.strategichr.com/shrsweb2/harassment_01.shtml))

**REVIEW OF RELATED LITERATURE**

1. **Research Study On Workplace Sexual Harassment, Aware Sub Committee, Singapore.**

   *Pilot Run Of Survey:* To test the comprehensibility of the survey questions, a pilot run was conducted with AWARE’s helpline volunteers. 20 completed surveys were collected over a 3 week period. Respondents were asked not only to fill out the survey but also to offer feedback on its structure and clarity. The 20 respondents were all female and aged between 21 and 55.

   *Final Survey:* The final public opinion survey consisted of 41 questions and was divided into 4 sections: Part A: Personal details, Part B: General awareness of workplace sexual harassment in Singapore, Part C: Incidents of workplace sexual harassment in Singapore, Part D: Experiences of workplace sexual harassment.

   *Findings on Awareness of Sexual Harassment:*332 (66.4%) of the 500 respondents surveyed registered a high level of awareness of Sexual harassment in the workplace. Out of 500 respondents, only 115 (23%) said they are aware of the existence of company policies on sexual harassment and a person / department to approach or make a report of sexual harassment. 215 (58.3%) women respondents 25 respondents (9.2%) reported being sexually assaulted by their superior, colleague, subordinate or client - a grim reminder of how severe sexual harassment in the workplace can get. 31 respondents (11.4%) reported receiving “career threats such as termination, withholding of promotion,” if they did not comply with requests for a date or any more serious forms of sexual favours. This form of ‘quid pro quo’ harassment is considered ‘particularly reprehensible, since it represents a breach of trust and an abuse of power’ by those in a position to ‘give or take away employment benefit’.

   *Key Recommendations Genera:* Workplace sexual harassment in Singapore is clearly a social challenge that warrants attention. Greater public advocacy is needed to raise awareness about the issue and bring it out of the shadows. There is certainly a need for greater research. ([http://www.aware.org.sg/wp-content/uploads/AWARE_Research_Study_on_Workplace_SexualHarassment.pdf](http://www.aware.org.sg/wp-content/uploads/AWARE_Research_Study_on_Workplace_SexualHarassment.pdf))

**OBJECTIVE OF STUDY**

1. To know the awareness of common types of SHW.
2. To know the awareness on prevention of SHW by various means.

**HYPOTHESIS**

1. There is awareness of common types of SHW among working women.
2. There is awareness on prevention of SHW by various means.

**SAMPLING**
Considering the time and cost of the study the convenience sampling was preferred. The topic being sensitive related to only women and researcher being male the samples were chosen only those who had utmost trust on the researcher to respond. The sample size was restricted to 20 considering the several other factors.

METHODS OF DATA COLLECTION

The TOI in case of newspaper, Legal and human resource management related books, and the online material were used for collecting secondary data. Based on past studies several aspects were finalized for the further study considering the current organizational and other factors. The researcher observation of the past job experience and existing study the questionnaire comprising of 20 questions were emailed through Facebook message for data collection. In some of the cases the telephonic interview was also used.

DATA ANALYSIS AND INTERPRETATION

TABLE .01. TABLE SHOWING AGREENESS ON THE COMPLIMENTS BY BOSS WITH THE NATURE OF ORGANISATION THEY ARE WORKING, THEIR SYSTEM, WORK EXPERIENCE OF THE RESPONDENT

<table>
<thead>
<tr>
<th></th>
<th>Call Center</th>
<th>Corporate</th>
<th>Firm</th>
<th>Grand</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>&lt;10</td>
<td>&gt;10</td>
<td>Total</td>
<td>&lt;10</td>
</tr>
<tr>
<td>Bureaucratic</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>No</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Democratic</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>No</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Lazzier fair</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>1</td>
<td>0</td>
<td>1</td>
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<tr>
<td>No</td>
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<td>0</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>8</td>
<td>0</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>Grand</td>
<td>Total</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>8</td>
<td>0</td>
<td>8</td>
<td>7</td>
</tr>
</tbody>
</table>

Sources: Primary

TABLE .02. TABLE SHOWING AWARENESS OF SHW BILL TO THEIR EDUCATIONAL QUALIFICATION OF THE WORKING WOMEN AND THEIR ORGANISATIONAL SYSTEM.

<table>
<thead>
<tr>
<th>Post Graduate</th>
<th>Bureaucratic</th>
<th>Democratic</th>
<th>Lazzier fair</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>No</td>
<td>0</td>
<td>6</td>
<td>1</td>
<td>7</td>
</tr>
<tr>
<td>Total</td>
<td>0</td>
<td>7</td>
<td>2</td>
<td>9</td>
</tr>
</tbody>
</table>
Graduate | Yes | 0 | 0 | 1 | 1  
|--------|-----|----|----|----|----  
| No     | 2   | 1  | 2  | 5  |     
| Total  | 2   | 1  | 3  | 6  |     

HSC  

Yes | 0  | 0  | 0  | 0  |    
|-----|----|----|----|----|----  
| No  | 0  | 1  | 4  | 5  |     
| Total| 0  | 1  | 4  | 5  |     

Grand Total | 2  | 9  | 9  | 20 |    

Source: Primary

FIGURE .01.

Awareness about the policies of the organisation

<table>
<thead>
<tr>
<th>Respondent agreement</th>
<th>HSC</th>
<th>Graduates</th>
<th>PG</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>5</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Yes</td>
<td>0</td>
<td>2</td>
<td>3</td>
</tr>
</tbody>
</table>

Educational qualification of respondent

Source: Primary

FIGURE .02.
RESPONDENT QUALIFICATION AND THEIR ORGANISATION SYSTEM

<table>
<thead>
<tr>
<th>Educational Qualification</th>
<th>Bureaucratic</th>
<th>Lazzier fair</th>
<th>Democratic</th>
</tr>
</thead>
<tbody>
<tr>
<td>PG</td>
<td>0</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>Grad</td>
<td>2</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>HSC</td>
<td>0</td>
<td>4</td>
<td>1</td>
</tr>
</tbody>
</table>

Type of organisation system

Source: Primary

FIGURE .03.

PERMISSION OF CELL PHONE AT THE DESK IN VARIOUS ORGANISATION

<table>
<thead>
<tr>
<th>Organisation</th>
<th>BPOs/Call center</th>
<th>Corporates</th>
<th>Firms</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>8</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Yes</td>
<td>0</td>
<td>7</td>
<td>2</td>
</tr>
</tbody>
</table>

Source: Primary

FIGURE .04.
FINDINGS

1) 15 of them all with less than 10 years of experience disagreed that ‘compliments from their boss were only because they were women’; of which 07 working in call center having lazzier fair, 05 from the corporate with democratic setup and 02 with bureaucratic setup; 02 from the firm 01 with democratic and 01 with lazzier fair.

05 of them agreed out of which 03 were having more than 10 years of experience in corporate with democratic set up and 02 with less than 10 years of experience with lazzier fair with 01 from call center and 01 from firm agreed to it.

2) 17 of them were unaware of SHW bill in India. Out of which 07 were working in Lazzier fair orgainsation with 01 postgraduate, 02 graduate and 04 HSC qualifications. 08 were working having democratic setup with 06 post graduate, 01 graduate and 01 HSC qualification. 02 graduates were with bureaucratic setup agreed that they are unaware of SHW bill.

3) None of the respondent was aware of the laws related to SH in India and fortunately none were the victim of SHW of all the respondents.

4) In future in case of SH 16 of them responded that they will quit the job, 01 of them will discuss with the colleague and 03 of them responded that they will complain to their boss or police. None of them were of opinion that they will approach helpline or lawyer.

5) None of them were aware about organisational SH preventive measures and mandatory to have SH committee in every organisation.
6) Only 04 of them agreed that adding workplace team to social networking sites will lead to SH rest 16 of them disagreed.

7) 14 respondent were working in organisation where the CCTV cameras were placed everywhere in the organisational premises rest 06 of them were working in organisation where CCTV camera were placed in few places.

8) 17 of them were of opinion that if at all they are victim of SH they will avoid complaining to any one as they want to avoid the tag of trouble employee.

9) 14 of them agreed that there was work place politics and boss/colleagues were taking undue advantage of that. For time being assuming that workplace politics is everywhere respondents were in process to track the exact reasons.

10) None of them were carrying of spy pen or hidden cameras along with them at their workplace.

**RELATED FINDINGS**

1. **National Crime Record Bureau: Crimes**
   The number of SH cases reported in Maharashtra has been 2524 (11.8%) and is second in India. The number of SH cases reported in 2010 were 04.7%.
   In 2010 under the crime head SH 1040 person arrested where crime rate was 0.8, arrest rate was 0.9 (number of arrested per one lakh population), and number of arrest per case were 1.0. Out of total cognizable crimes under IPC person arrested were 2947122, crime rate was 187.6, arrest rate was 248.5 (number of arrested per one lakh population) and number of arrest per case were 1.3.
   A total of 29, 47,122 persons were arrested by the Police under various IPC crimes during 2010 as against 28, 49,025 persons in 2009 showing a increase of 3.4%. Highest declined was observed in Sexual Harassment (27.6%) i.e. from 14,368 in 2009 to 10,404 in 2010. (http://ncrb.nic.in/CII2010/Compendium2010.pdf)

2. **Disposal of Persons Arrested Under IPC Crimes By Courts**
   As many as 1, 58, 85,237 persons (including those from previous years) were awaiting trials in various criminal courts in the country during 2010 (an increase of 3.3% over the last year). The disposal of such arrested persons was pending to an extent of 84.7% (1, 34,55,093 persons out of 1,58,85,237) at the end of the year. The lowest pendency was observed in Sexual Harassment (73.5%) (36,422 out of 49,544) against All-India average of 84.7%. The overall conviction percentage at All-India level for the persons arrested in IPC cases was 36.2% (7, 77,572 out of 21, 48,973 trials completed). Crime-wise persons arrested in Sexual Harassment cases, who were on trial, got the highest conviction (50.4%) (5,878 out of 49,544) followed by Culpable Homicide not amounting to Murder (39.9%) (2,615 out of 37,689).
   Nearly one-sixth (18.9%) totaling 30, 03,530 persons, were from the State of Maharashtra followed by Bihar accounting for 10.3% (16,39,025) and Gujarat (16,50,859) accounting for
10.4%. When compared with share of persons awaiting trials at the end of the year at National level, these States stood at 20.8%, 11.0% and 11.5% respectively.


CONCLUSION

1. There is awareness of common types of SHW among working women.
2. There is unawareness on prevention of SHW by various means.

EPILOGUE

The god created everyone divine for varied purpose. Everyone by nature is ethical. The desire towards the opposite sex becomes positive when it turns to relationship of marriage. When the desire becomes evil it compels to do wrong act leading to harassment. God gave us relationship of caring Mother, friendly Sister, aunty as a guide, grandmother as value educator etc. All together bond of family. Above that Saraswati is goddess of knowledge; Laxmi is the goddess of wealth, Durga is the goddess of power, so on and so forth.

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